

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS ABANDONING A 1,840 SQUARE FOOT PORTION OF A DRAINAGE, STREET AND ALLEY EASEMENT BEING OUT OF THE S.R. COLLINS SURVEY, ABSTRACT NO. 286, AS CONVEYED TO THE CITY OF FRISCO BY SHADDOCK DEVELOPERS, LTD.; PROVIDING FOR SAVING, REPEALING, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City of Frisco, Texas ("City") and Shaddock Developers, Ltd. ("Shaddock") entered into an agreement on the 6th day of January, 2000, which provides among other qualifying factors, that upon the completion and acceptance by the City of Estates on Legacy Drive, Phase 1, being a Replat of Lots 2-13, Block A and Lots 2-11, Block E, the City will abandon in recordable form, a portion of the existing Drainage, Street and Alley Easement, a 10,247 square foot easement recorded in Volume 4500, Page 3038 of the Real Properties Records of Denton County, Texas, a copy of which is attached hereto as Exhibit "A" and incorporated herein for all purposes; and

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") finds it is in the best interest and for the purpose of benefiting the public generally to abandon the easement as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRISCO, TEXAS:

SECTION 1: The City Council finds it is in the best interest of the City and for the purpose of benefiting the public generally to abandon the easement described herein.

SECTION 2: The City of Frisco hereby abandons one thousand eight hundred forty (1,840) square feet portion of a ten thousand two hundred forty seven (10,247) square foot Drainage, Street and Alley Easement recorded in Volume 4500, Page 3038, Real Property Records of Denton County, Texas; said abandoned portion more particularly described in Exhibit "B" attached hereto and incorporated herein for all purposes.

SECTION 3: All Ordinances or provisions or Ordinances in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining provisions of conflicting ordinances shall remain in full force and effect.

SECTION 4: Should any part or portion of this Ordinance, or the use created herein affecting the aforementioned property be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions and those provided for within this Ordinance shall remain in full force and effect.

SECTION 5: This Ordinance shall be effective immediately upon its passage and signature of the Mayor of the City.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO,
TEXAS on this 21st day of November, 2000.

Kathleen A. Seei, Mayor

ATTEST TO
AND CORRECTLY RECORDED:

APPROVED AS TO FORM:

Nan Parker, City Secretary

Richard Abernathy, City Attorney
Rebecca Brewer, Attorney
ABERNATHY, ROEDER, BOYD & JOPLIN, PC